Hon. Richard A. Jones

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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HUMBERTO GARCIA,

Defendant.

No. 2:20-cr-00197-RAJ

ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO CONTINUE TRIAL

THIS MATTER comes before the Court upon Defendant Humberto Garcia's Unopposed Motion to Continue Trial Date (Dkt. 371). The Court, having considered the facts set forth in the motion and the records and files herein, FINDS as follows:

- 1. That the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to ensure adequate time for effective case preparation and that these factors outweigh the best interests of the public and defendant in a speedy trial.
- 2. That failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the failure to grant a continuance in the proceeding would likely result in a miscarriage of justice, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

3. The ends of justice will be served by ordering a continuance in this case, as a continuance is necessary to ensure adequate time for the defense to review discovery and effectively prepare for trial. All of these factors outweigh the best interests of the public and defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).

IT IS THEREFORE ORDERED that Defendant Humberto Garcia's Unopposed Motion to Continue Trial Date (Dkt. 371) is GRANTED. The trial date is continued to April 10, 2023.

IT IS FURTHER ORDERED that the resulting period of delay from the date of this Order to the new trial date of April 10, 2023, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

DATED this 22nd day of August, 2022.

The Honorable Richard A. Jones United States District Judge

Richard A Jones